

Dist. Rec'd PCT/PTO 08 MAR 2004  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

REBECCA E. ET AL.

CASE NO.: BB-1297

APPLICATION NO.: 09/857,557

GROUP ART UNIT: UNKNOWN

INTERNATIONAL FILING DATE: 03 DEC 99 EXAMINER: UNKNOWN

FOR: PLANT 1-DEOXY-D-XYLULOSE 5-  
PHOSPHATE REDUCTOISOMERASE

**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**

Commissioner for Patents  
Mail Stop PCT  
Washington, D.C. 20231

Sir:

This is in response to the February 12, 2004 Notification of Defective Response (copy enclosed). A substitute computer readable form and paper copy of the Sequence Listing, along with the required Statement under 37 C.F.R. 1.825(d), 1.821(f), and 1.821(g), are enclosed herewith.

Please charge any necessary fees or credits to Deposit Account 04-1928 (E.I. du Pont de Nemours and Company).

Respectfully submitted,

J. KENNETH JOUNG  
Attorney For Applicants  
Registration No. 41,881  
Telephone: 302-992-4929  
Facsimile: 302-892-1026

Dated: 5 March 2004

Enclosures: Copy of Notification of Defective Response  
Substitute CRF of Sequence Listing  
Sequence Listing Paper Copy – 23 Pages  
Statement Under 37 C.F.R. 1.825(d), 1.821(f), and 1.821(g)



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PTO/SB/92 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031  
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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on March 5, 2004  
Date

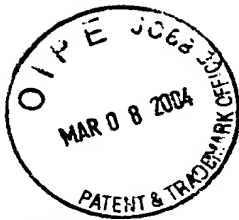
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09/857,557  
Response To Notification Of Defective Response  
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Sequence Listing Paper Copy – 23 pages  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/857,557	Rebecca Cahoon	BB-1297

INTERNATIONAL APPLICATION NO.
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PCT/US99/28616

LA. FILING DATE	PRIORITY DATE
12/03/1999	12/04/1998

CONFIRMATION NO. 5031

371 FORMALITIES LETTER



\*OC000000011898188\*

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PATENT RECORDS  
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JKT  
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E. I. Du Pont De Nemours And Company  
1007 Market Street  
Wilmington, DE 19898

Date Mailed: 02/12/2004

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 06/04/2001
- Copy of the International Search Report filed on 06/04/2001
- Copy of IPE Report filed on 06/04/2001
- Preliminary Amendments filed on 06/04/2001
- Information Disclosure Statements filed on 06/04/2001
- Biochemical Sequence Diskette filed on 06/04/2001
- Oath or Declaration filed on 06/04/2001
- Biochemical Sequence Listing filed on 03/22/2003
- Request for Immediate Examination filed on 06/04/2001
- Copy of references cited in ISR filed on 06/04/2001
- U.S. Basic National Fees filed on 06/04/2001

DOCKETED  
CR

FEB 18 2004

CC: AG BIOTECH ✓

Applicant's response filed 03/22/2003 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 07/24/2001 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - See the attached CRF Problem Report.
  - APPLICANT MUST PROVIDE:
    - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

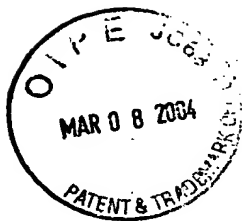
Telephone: (703) 308-9116

**PART 1 - ATTORNEY/APPLICANT COPY**

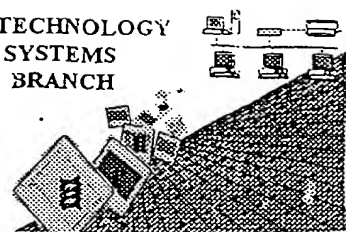
U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/857,557	PCT/US99/28616	BB-1297

FORM PCT/DO/EO/916 (371 Formalities Notice)

\* Mail with Form



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## CRF Problem Report

The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 09/857,557 A  
Filing Date: 6/4/01 CRF  
Date Processed by STIC: 1/14/04

STIC Contact: Mark Spencer: Telephone: 703-308-4212; Fax: 703-308-4221  
Effective 12/13/03: Telephone: 571-272-2510; Fax: 571-273-0221

### Nature of Problem:

- The CRF (was):
- ☒ (circle one) Damaged or Unreadable (for Unreadable, see attached)
  - ☐ Blank (no files on CRF) (see attached)
  - ☐ Empty file (filename present, but no bytes in file) (see attached)
  - ☐ Virus-infected. Virus name: \_\_\_\_\_ The STIC will not process the CRF.
  - ☐ Not saved in ASCII text
  - ☐ Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should **only** be the Sequence Listing.
  - ☐ Did not contain a Sequence Listing. (see attached sample)
  - ☐ Other: \_\_\_\_\_

**PLEASE USE THE CHECKER VERSION 4.1 PROGRAM TO REDUCE ERRORS.  
SEE BELOW FOR ADDRESS:**

<http://www.uspto.gov/web/offices/pac/checker/chkr41note.htm>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/efb/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. Hand Carry directly to (EFFECTIVE 12/01/2003):  
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 10/08/03

09/857557  
FD 3/22/2

C:\>A:

A:\>DIR

Volume, in drive A has no label  
Directory of A:\

BB1297~1	TXT	50,312	03-13-02	3:33p	BB1297 USPCT Corrected SEQ LIST.txt
1	file(s)	50,312	bytes		
0	dir(s)	1,406,976	bytes free		

A:\>TYPE BB1297~1.TXT

Read fault error reading drive A  
Abort, Retry, Fail?

onscreen message when STIC PC  
tried to read submitted disk